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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/535,179	12/27/2005	Tsukasa Yosida	Q85475	3569

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SUGHRUE MION, PLLC
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SUITE 800
WASHINGTON, DC 20037

EXAMINER

ISLAM, SYED A

ART UNIT	PAPER NUMBER
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3611

MAIL DATE	DELIVERY MODE
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11/02/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/535,179

Applicant(s)

YOSIDA, TSUKASA

Examiner

Syed A. Islam

Art Unit

3611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 051706.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 4-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 4 and 6, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim 5 recites the limitation "the front sheet material-side storage part" in line 4 and "the rear storage part" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 6 recites the limitation "the front sheet material-side storage part" in line 4 and "the rear storage part" in line 8. There is insufficient antecedent basis for this limitation in the claim.

Claim 7 recites the limitation "the rear storage part" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 4, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strong (5,170,535).

Regarding claim 3, Strong discloses an attachment 32 (col. 4, line 26; see fig. 9) with a clip 24 (col. 4, line 26; see fig. 9), which attachment includes at least two storage parts 36 (col. 4, line 24; see fig. 11) and 38 (col. 4, line 30; see fig. 11), each having peripheral edges sealed except for an opening part, one of the storage parts storing 38 an object used according to a purpose, the other storage part 36 including at least the clip by inserting and attaching a clipping one end portion of the clip, which portion is formed by bending a wire material to form a generally U shape and bending upper ends of the generally U shape inward or outward to be parallel to an inside or outside of the generally U shape, into the other storage part, a clipping other end portion of the clip serving as a locking part locked at an attachment target, the attachment target held between the locking part and the storage part side.

Regarding claim 4, Strong discloses an attachment 32 with a clip 24, which attachment includes at least two storage parts 36 and 38, each having peripheral edges sealed except for an opening part 38, a ventilation part formed in one of the storage parts and the one storage part 38 storing a material that contains an emanative component (the contains glue and air which are emanative) such as a volatile component, the other storage part 36 including at least the clip by inserting and attaching a clipping one end portion of the clip, which portion is formed by bending a wire material to form a generally U shape and bending upper ends of the generally U shape inward or outward to be parallel to an inside or outside of the generally U shape, into the other storage part, a clipping other end portion of the clip serving as a locking part locked at an attachment target, the attachment target held between the locking part and the storage part side.

Regarding the limitation of the storage parts being formed by a synthetic resin sheet material, Strong distinctly fails to disclose the limitation. However, Strong discloses the variations of

material, shape and size can chosen to create the invention as desired by the user. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to use synthetic resin material because it is liquid and heat resistant.

Regarding claim 7, Strong discloses the rear storage part 36 out of the two storage parts is constituted to form clip insert storage parts is constituted to form clip insert storage parts on both sides, respectively, or constituted to be formed as the clip insert storage parts located on both side.

Regarding claim 8, Strong fails to disclose a data transmittable and receivable IC chip is stored in the storage part. However, Strong discloses any pertinent information can stored in the storage part. Furthermore, Strong discloses any manner of operation is readily apparent and obvious to one skilled in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to use the storage part for an IC chip because it is simple and inexpensive.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed A. Islam whose telephone number is (571) 272-7768. The examiner can normally be reached on Monday-Friday 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley D. Morris can be reached on (571) 272-6651. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Lesley D. Morris
SPE
Art Unit 3611

SI
October 27, 2007

 10/29/07
PAUL N. DICKSON
SUPERVISORY PATENT EXAMINER
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